

Message

From: Siegal, Tod [Siegal.Tod@epa.gov]
Sent: 9/17/2019 5:49:08 PM
To: Chemerys, Ruth [Chemerys.Ruth@epa.gov]; Hurlid, Kathy [Hurlid.Kathy@epa.gov]
CC: Kupchan, Simma [Kupchan.Simma@epa.gov]
Subject: RE: Revised Tribal 404(g) assumption options papers: pls review by cob Sep 17
Attachments: 404.TribalAssumption.Options.docx; 404.Options.StateAssumption.docx

Hi Kathy and Ruth. My comments/questions on the two tribal papers are attached. Happy to discuss as needed at your convenience. Thanks.

Tod Siegal
U.S. EPA, Office of General Counsel
Cross-Cutting Issues Law Office
202-564-5552

From: Chemerys, Ruth <Chemerys.Ruth@epa.gov>
Sent: Tuesday, September 10, 2019 3:46 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Vallette, Yvonne <Vallette.Yvonne@epa.gov>; Kasperek, Lauren <kasperek.lauren@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>; Leutner, Fred <Leutner.Fred@epa.gov>
Cc: Hurlid, Kathy <Hurlid.Kathy@epa.gov>
Subject: Revised Tribal 404(g) assumption options papers: pls review by cob Sep 17

Hi everyone:

I've attached revised tribal assumption options papers for review by the sub-set of our 404(g) rulemaking workgroup with whom we've been discussing tribal assumption (Simma, Yvonne, and Lauren). I'm also including Tod and Fred for your review as well. Once we have your comments, we'll share these updates with the full workgroup.

For Simma, Yvonne and Lauren: Kathy and I had some additional ideas for options that have been incorporated those into these revised papers.

One other note: The papers include the key issues that we would discuss with management, as well as a number of other issues to be considered in the rule update but which we likely wouldn't include in the briefing for management. I'm attaching a draft summary matrix on tribal assumption issues to show the format we would use to brief management at options selection, and the issues for which we would like to get management input. We would update this to be consistent with the issue papers.

Please provide your comments by **COB Tuesday September 17** to both Kathy and myself (I'm on leave September 11 through the 18th, and Kathy will review your comments while I'm out).

Thanks very much!

Ruth

Ruth Chemerys
EPA Office of Water
Office of Wetlands, Oceans & Watersheds
1200 Pennsylvania Ave. NW, 4503-T

Phone: 202-566-1216

Fax: 202-566-1437